

AO 133 (Rev. 12/09) Bill of Costs

UNITED STATES DISTRICT COURT

for the
Southern District of New York

THE FEDERAL SAVINGS BANK

v.

WATANASUPARP, RIEMER, CITIZENS
FINANCIAL GROUP

Case No.: 1:15-cv-03548-AKH

BILL OF COSTS

Judgment having been entered in the above entitled action on 02/28/2019 against The Federal Savings Bank,
the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$	
Fees for service of summons and subpoena		
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case		12,642.71 827.53
Fees and disbursements for printing		
Fees for witnesses (itemize on page two)		0.00
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case. <i>54.11 CTS. USCA 102 RECEIVED IN EVIDENCE. AGREE WITH OBJECTIONS</i>		0 35,776.30
Docket fees under 28 U.S.C. 1923		
Costs as shown on Mandate of Court of Appeals		
Compensation of court-appointed experts		
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828		
Other costs (please itemize)		
TOTAL		\$ 53,653.83
SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.		12,642.71

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:



Electronic service



First class mail, postage prepaid



Other:

s/ Attorney: /s/ John P. Barry

Name of Attorney: John P. Barry

For: Citizens Financial Group
Name of Claiming Party

Date: 04/02/2019

Taxation of Costs

Costs are taxed in the amount of \$12,642.71 and included in the judgment.

RUBEN J. KRATICK
Clerk of Court

By:

Deputy Clerk

Date

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

PROSKAUER ROSE LLP
John P. Barry, Esq.
11 Times Square
New York, NY 10036
Attorneys for Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
THE FEDERAL SAVINGS BANK,

Plaintiff,

v.

ACE WATANASUPARP, RONALD
RIEMER, AND CITIZENS FINANCIAL
GROUP,

Defendants.
----- X

Case No.: 15-CV-3548

**AFFIDAVIT OF
JOHN P. BARRY, ESQ.**

I, **JOHN P. BARRY** hereby certify as follows:

1. I am an attorney duly admitted to the Bar of the State of New York and this Court, and am a Partner with Proskauer Rose LLP, Eleven Times Square, New York, New York 10036. I submit this Affidavit in support of Defendant Citizens Financial Group's ("Citizens") Bill of Costs against Plaintiff The Federal Savings Bank.

2. The Complaint in this action was initially filed on May 5, 2015. (Dkt. No. 1.) On March 31, 2017, Citizens filed a motion for summary judgment. (Dkt. No. 85). Plaintiff cross-moved for summary judgment. (Dkt. No. 89.) The Court denied both motions for summary judgment. (Dkt. No. 129.)

3. A trial was held over nine days beginning on April 30, 2018. After several days of deliberation, on May 11, 2018, the jury returned a verdict. The jury (1) dismissed Defendant Ronald Riemer; (2) found Defendant Ace Watanasuparp liable to Plaintiff in the amount of

\$30,000; and (3) found Defendants Ace Watanasuparp and Citizens liable, jointly and severally, to Plaintiff in the amount of \$500,000. (Dkt. No. 160.) A judgment, pursuant to the jury's verdict, was entered accordingly. (Dkt. No. 161.)

4. On June 8, 2018, Citizens filed a motion for judgment as a matter of law or, in the alternative for a new trial or remittitur of the damages award. (Dkt. No. 180.)

5. On February 26, 2019, the Court granted Citizens' motion for judgment as a matter of law, dismissing it from the instant action, and instructing the Clerk of the Court to enter a judgment in accordance with its opinion. (Dkt. Nos. 194-95.) A copy of the Amended Judgment is annexed hereto as Exhibit A.

6. The costs set forth in the accompanying Bill of Costs are taxable pursuant to 28 U.S.C. § 1920, Federal Rule of Civil Procedure 54, and Southern District Local Rule 54.1.

7. Annexed hereto as Exhibit B are copies of the invoices for each trial transcript. The trial transcripts were necessarily obtained for the defense of this action, were used by the Court in ruling on Citizens' motion for judgment as a matter of law or, in the alternative for a new trial or remittitur of the damages award, and were not obtained merely for the convenience of counsel. The following chart correctly states the costs incurred for each trial transcript:

Trial Date	Invoice Number	Cost	<i>Jose Roberts</i>
April 30, 2018	0498810-IN	\$574.56	440.16
May 1, 2018	0498808-IN	\$805.41	617.01
May 2, 2018	0498806-IN	\$1,082.43	829.23
May 3, 2018	0498804-IN	\$1,061.91	813.51
May 7, 2018	0499091-IN	\$836.19	640.59
May 8, 2018	0499089-IN	\$230.85	176.85
May 9, 2018	0499087-IN	\$538.65	412.45

Trial Date	Invoice Number	Cost
May 10, 2018	0499086-IN	\$148.77
May 11, 2018	0499344-IN	\$145.44

TOTAL: \$5,424.21

8. Annexed hereto as Exhibit C are copies of the invoices for each deposition transcript. The deposition transcripts were used by the Court in ruling on the cross-motions for summary judgment, used or received in evidence at trial, and/or otherwise necessarily incurred for the defense of this action and to determine the specific allegations that formed the basis for Plaintiff's claims and not taken solely for discovery. The following chart correctly states the costs incurred for each deposition transcript:

Deponent	Date of Deposition	Invoice Number	Cost	Deponent Testified at Trial	Cited in Summary Judgment Cross-Motions
Stephen Calk	7/15/2015	110424	\$737.94	X	X
Mordy Husarsky	7/16/2015	110798	\$951.20	X	X
Tom Gamache	7/16/2015	110516	\$1,575.63	X	X
Ace Watanasuparp	7/17/2015	110984	\$847.50	X	X
Ron Riemer	7/17/2015	110984	\$726.50	X	X
Christian Nguyen	8/14/2015	111320	\$1,257.70		X
Jason Bressler	8/17/2015	111348	\$402.20		X
Dottie Herman	8/19/2015	111395	\$549.05	X	X
Kenneth Haber	8/19/2015	111395	\$612.00	X	X
Howard Lorber	8/19/2015	111395	\$592.85	X	X
CJ Taglivia	9/19/2016	119793	\$438.00		
John Moscati	9/19/2016	119793	\$352.40		
Stephen Calk	9/23/2016	120356	\$659.35	X	X
Mordy Husarsky	9/26/2016	120123	\$422.20	X	
Andrew Chojnowski	9/26/2016	120123	\$273.35		
Tom Gamache	10/5/2016	32127	\$540.00	X	

Deponent	Date of Deposition	Invoice Number	Cost	Deponent Testified at Trial	Cited in Summary Judgment Cross-Motions
Michael Belmont	10/10/2016	121123	\$684.45		X
Ace Watanasuparp	10/10/2016	32163	\$540.00	X	X
Glenn Carter	12/6/2016	109471	\$291.00	<i>Deposition testimony read into evidence</i>	X

TOTAL: \$12,453.32

9. Pursuant to 28 U.S.C. § 1920(4), Fed. R. Civ. P. 54, and Southern District Local Rule 54.1, Citizens is entitled to the costs of making copies of any materials where the copies are necessarily obtained for use in the case. These costs were necessarily incurred in order to respond to Plaintiff's discovery requests, which requested the production of electronically stored information, such as e-mails. The original version of these documents were not available. Some of these documents were later used as exhibits at depositions or trial, and/or submitted to the Court with Citizens' dispositive motions for summary judgment and/or motion for judgment as a matter of law or, in the alternative for a new trial or remittitur of the damages award. Citizens is entitled to recover the costs associated with the copying/conversion of the native format of the collected data to a static format, such as a Portable Document Format ("PDF"), which was done in order to respond to Plaintiff's discovery requests. Citizens is also entitled to the costs associated with the production of the electronic copies of the documents that were responsive to Plaintiff's discovery requests. Annexed hereto as Exhibit D are copies of the relevant invoices presenting these costs, which are also outlined in the chart below. The invoice entries described as "ESI Processing for Native Review Per GB" represent the costs incurred for the copying/conversion. The invoice entries described as "Production – Processing for Image and/or

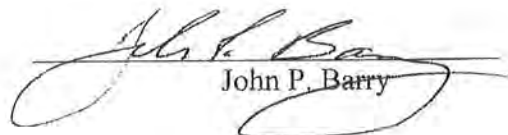
Native Productions Per GB" represent the costs incurred for the production of the electronic copies.

Vendor	Date	Invoice Number	Cost
D4, LLC	June 30, 2015	158283	\$11,747.90
D4, LLC	July 31, 2015	159640	\$22,127.45
D4, LLC	August 31, 2015	160730	\$49.30
D4, LLC	February 29, 2016	169206	\$1,844.70
D4, LLC	March 31, 2016	170763	\$2.50
D4, LLC	April 30, 2016	172050	\$4.45

TOTAL: \$35,776.30

54.1 c(s) used or received in evidence

10. The costs claims here are correctly stated, have been paid in full, and were reasonably and necessarily incurred in connection with Citizens' defense of this action.


John P. Barry

Sworn to before me this
2nd of April, 2019



Notary Public - State of New Jersey
My Commission Expires 2/9/2024

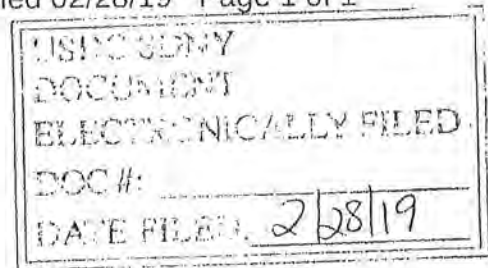
Exhibit A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
THE FEDERAL SAVINGS BANK,
Plaintiff,

-against-

15 CIVIL 3548 (AKH)



AMENDED JUDGMENT

ACE WATANASUPARP, RONALD RIEMER,
AND CITIZENS FINANCIAL GROUP,
Defendants.
-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated February 26, 2019, Defendant Watanasuparp's motion for a new trial on issues of liability is denied (2) Defendant Watanasuparp's motion for a new trial on the issue of damages for the breach of fiduciary duty is granted, except as to the forfeiture of \$30,000 of his salary, and his motion for judgment as a matter of law is denied (3) Defendant Citizens' motion for judgment as a matter of law, and order the case dismissed against it, with the Clerk to tax costs is granted (4) An amended judgment is entered against Defendant Watanasuparp in the amount of \$30,000, with interest from March 20, 2015 in the amount of \$10,659.45, and with costs to be deferred until the issues between plaintiff and Watanasuparp are determined.

Dated: New York, New York
February 28, 2019

RUBY J. KRAJICK

Clerk of Court

BY:

Kmango

Deputy Clerk

Exhibit B

Invoice**SOUTHERN DISTRICT REPORTERS PC**

Tax ID No. 13-2775946

500 Pearl St.
Room 330
New York, NY 10007
Tel No. (212) 805-0300

INVOICE NO.: 0498810-IN

INVOICE DATE: 05/08/18

CUSTOMER NO.: 1003838

WORK ORDER NO.: 190716

SALESPERSON: CSIW

Proskauer Rose LLP
One Newark Center
Newark, NJ 07102
Attention: Laura Leone

PAYMENT IS DUE UPON RECEIPT

JOB DATE THE FEDERAL SAVINGS BANK V ACE WATANASUP
CASE NO. 15CV03548

4/30/2018	Original	112.00	Pages at	\$3.93	440.16
4/30/2018	Diskette	112.00	Pages at	\$1.20	134.40

PAID

CK. NO. 501949
DATE 5/8/18

Net Invoice:	574.56
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	574.56

WE ACCEPT VISA, MASTERCARD, AMERICAN EXPRESS AND DISCOVER
PLEASE MAKE CHECK PAYABLE TO SOUTHERN DISTRICT REPORTERS PC

\$440.16

Invoice

SOUTHERN DISTRICT REPORTERS PC

Tax ID No. 13-2775946

 500 Pearl St.
 Room 330
 New York, NY 10007
 Tel No. (212) 805-0300

INVOICE NO.: 0498808-IN

INVOICE DATE: 05/08/18

CUSTOMER NO.: 1003838

WORK ORDER NO.: 190717

SALESPERSON: CSIW

 Proskauer Rose LLP
 One Newark Center
 Newark, NJ 07102
 Attention: Laura Leone

PAYMENT IS DUE UPON RECEIPT

 JOB DATE THE FEDERAL SAVINGS BANK V ACE WATANASUP
 CASE NO. 15CV03548

5/1/2018	Original	157.00	Pages at	\$3.93	617.01	✓
5/1/2018	Diskette	157.00	Pages at	\$1.20	188.40	+

PAID
 CK. NO. 501949
 DATE 5/8/18

Net Invoice:	805.41
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	805.41

WE ACCEPT VISA, MASTERCARD, AMERICAN EXPRESS AND DISCOVER
 PLEASE MAKE CHECK PAYABLE TO SOUTHERN DISTRICT REPORTERS PC

\$617.01

Invoice**SOUTHERN DISTRICT REPORTERS PC**

Tax ID No. 13-2775946

500 Pearl St.
 Room 330
 New York, NY 10007
 Tel No. (212) 805-0300

INVOICE NO.: 0498806-IN

INVOICE DATE: 05/08/18

CUSTOMER NO.: 1003838

WORK ORDER NO.: 190718

SALESPERSON: CSIW

Proskauer Rose LLP
 One Newark Center
 Newark, NJ 07102
 Attention: Laura Leone

PAYMENT IS DUE UPON RECEIPT

JOB DATE THE FEDERAL SAVINGS BANK V ACE WATANASUP
 CASE NO. 15CV03548

5/2/2018	Original	211.00	Pages at	\$3.93	829.23
5/2/2018	Diskette	211.00	Pages at	\$1.20	253.20

PAID

CK. NO. 561949
 DATE 5/8/18

Net Invoice:	1.082.43
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	1.082.43

**WE ACCEPT VISA, MASTERCARD, AMERICAN EXPRESS AND DISCOVER
 PLEASE MAKE CHECK PAYABLE TO SOUTHERN DISTRICT REPORTERS PC**

829.23

Invoice**SOUTHERN DISTRICT REPORTERS PC**

Tax ID No. 13-2775946

500 Pearl St.
 Room 330
 New York, NY 10007
 Tel No. (212) 805-0300

INVOICE NO.: 0498804-IN

INVOICE DATE: 05/08/18

CUSTOMER NO.: 1003838

WORK ORDER NO.: 190719

SALESPERSON: CSIW

Proskauer Rose LLP
 One Newark Center
 Newark, NJ 07102
 Attention: Laura Leone

PAYMENT IS DUE UPON RECEIPT

JOB DATE THE FEDERAL SAVINGS BANK V ACE WATANASUP
 CASE NO. 15CV03548

5/3/2018	Original	207.00	Pages at	\$3.93	813.51
5/3/2018	Diskette	207.00	Pages at	\$1.20	248.40

PAID

CK. NO. 501949
 DATE 5/8/18

Net Invoice:	1.061.91
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	1.061.91

WE ACCEPT VISA, MASTERCARD, AMERICAN EXPRESS AND DISCOVER
PLEASE MAKE CHECK PAYABLE TO SOUTHERN DISTRICT REPORTERS PC

813.51

Invoice**SOUTHERN DISTRICT REPORTERS PC**

Tax ID No. 13-2775946

500 Pearl St.
Room 330
New York, NY 10007
Tel No. (212) 805-0300

INVOICE NO.: 0499091-IN

INVOICE DATE: 05/15/18

CUSTOMER NO.: 1003838

WORK ORDER NO.: 190889

SALESPERSON: CSIW

Proskauer Rose LLP
One Newark Center
Newark, NJ 07102
Attention: Laura Leone

PAYMENT IS DUE UPON RECEIPT

JOB DATE THE FEDERAL SAVINGS BANK V ACE WATANASUP
CASE NO. 15CV03548

5/7/2018	Original	163.00	Pages at	\$3.93	640.59
5/7/2018	Diskette	163.00	Pages at	\$1.20	195.60

PAID

CK. NO. 501949
DATE 5/8/18

Net Invoice:	836.19
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	836.19

**WE ACCEPT VISA, MASTERCARD, AMERICAN EXPRESS AND DISCOVER
PLEASE MAKE CHECK PAYABLE TO SOUTHERN DISTRICT REPORTERS PC**

8640.50

Invoice**SOUTHERN DISTRICT REPORTERS PC**

Tax ID No. 13-2775946

500 Pearl St.
 Room 330
 New York, NY 10007
 Tel No. (212) 805-0300

INVOICE NO.: 0499089-IN

INVOICE DATE: 05/15/18

CUSTOMER NO.: 1003838

WORK ORDER NO.: 190890

SALESPERSON: CSIW

Proskauer Rose LLP
 One Newark Center
 Newark, NJ 07102
 Attention: Laura Leone

PAYMENT IS DUE UPON RECEIPT

JOB DATE THE FEDERAL SAVINGS BANK V ACE WATANASUP
 CASE NO. 15CV03548

5/8/2018	Original	45.00	Pages at	\$3.93	176.85
5/8/2018	Diskette	45.00	Pages at	\$1.20	54.00

PAID

CK. NO. 501949
 DATE 5/8/18

Net Invoice:	230.85
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	230.85

WE ACCEPT VISA, MASTERCARD, AMERICAN EXPRESS AND DISCOVER
 PLEASE MAKE CHECK PAYABLE TO SOUTHERN DISTRICT REPORTERS PC

176.85

Invoice**SOUTHERN DISTRICT REPORTERS PC**

Tax ID No. 13-2775946

500 Pearl St.
Room 330
New York, NY 10007
Tel No. (212) 805-0300

INVOICE NO.: 0499087-IN

INVOICE DATE: 05/15/18

CUSTOMER NO.: 1003838

WORK ORDER NO.: 190891

SALESPERSON: CSIW

Proskauer Rose LLP
One Newark Center
Newark, NJ 07102
Attention: Laura Leone

PAYMENT IS DUE UPON RECEIPT

JOB DATE THE FEDERAL SAVINGS BANK V ACE WATANASUP

CASE NO. 15CV03548

5/9/2018	Original	105.00	Pages at	\$3.93	412.65 ✓
5/9/2018	Diskette	105.00	Pages at	\$1.20	126.00 X

PAID

CK. NO. 501949
DATE 5/8/18

Net Invoice:	538.65
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	538.65

**WE ACCEPT VISA, MASTERCARD, AMERICAN EXPRESS AND DISCOVER
PLEASE MAKE CHECK PAYABLE TO SOUTHERN DISTRICT REPORTERS PC**

8412.45

Invoice**SOUTHERN DISTRICT REPORTERS PC**

Tax ID No. 13-2775946

500 Pearl St.
Room 330
New York, NY 10007
Tel No. (212) 805-0300

INVOICE NO.: 0499086-JN
INVOICE DATE: 05/15/18

CUSTOMER NO.: 1003838
WORK ORDER NO.: 190892

SALESPERSON: CSIW

Proskauer Rose LLP
One Newark Center
Newark, NJ 07102
Attention: Laura Leone

PAYMENT IS DUE UPON RECEIPT

JOB DATE THE FEDERAL SAVINGS BANK V ACE WATANASUP
CASE NO. 15CV03548

5/10/2018	Original	29.00	Pages at	\$3.93	113.97
5/10/2018	Diskette	29.00	Pages at	\$1.20	34.80

PAID

CK. NO. 501949
DATE 5/8/18

Net Invoice:	148.77
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	148.77

**WE ACCEPT VISA, MASTERCARD, AMERICAN EXPRESS AND DISCOVER
PLEASE MAKE CHECK PAYABLE TO SOUTHERN DISTRICT REPORTERS PC**

113.97

Invoice

SOUTHERN DISTRICT REPORTERS PC

Tax ID No. 13-2775946

500 Pearl St.
Room 330
New York, NY 10007
Tel No. (212) 805-0300

INVOICE NO.: 0499344-IN
INVOICE DATE: 05/22/18

CUSTOMER NO.: 1003838
WORK ORDER NO.: 190925
SALESPERSON: CSIW

PAID

Proskauer Rose LLP
One Newark Center
Newark, NJ 07102
Attention: Laura Leone

PAYMENT IS DUE UPON RECEIPT

JOB DATE THE FEDERAL SAVINGS BANK V ACE WATANASUP
CASE NO. 15CV03548

5/11/2018 Original 24.00 Pages at \$6.06 145.44

Net Invoice:	145.44
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	145.44

WE ACCEPT VISA, MASTERCARD, AMERICAN EXPRESS AND DISCOVER
PLEASE MAKE CHECK PAYABLE TO SOUTHERN DISTRICT REPORTERS PC

\$145.44

Exhibit C

INVOICE

David Feldman Worldwide, Inc.
 450 Seventh Avenue
 Suite 500
 New York, NY 10123
 Phone:212-705-8585 Fax:646-304-1713

Invoice No.	Invoice Date	Job No.
110424	7/23/2015	40045
Job Date	Case No.	
7/15/2015		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Rlemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

Ana Ng
 RBS Citizens
 600 Washington Blvd.
 Stamford, CT 06901

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Stephen Calk

Rough Draft/ASCII

Exhibit Package

Shipping & Handling (O)

148.00 Pages

436.60

185.00

32.00 Pages

3.20

78.00

TOTAL DUE >>>**\$702.80**

AFTER 8/22/2015 PAY

\$737.94

Ordered By : John Barry, Esq.
 Proskauer Rose LLP
 One Newark Center
 Newark, NJ 07102-5211

THANK YOU FOR YOUR BUSINESS

Payment Not Contingent On Client Reimbursement

You can view your Invoices and payment history at our website www.David-Feldman.com.
 Call us for more information on this function.

IMPORTANT, NEW REMITTANCE ADDRESS.

Please note this address is to be used for all current and/or past Invoices or statements you have received by mail and/or email.

Tax ID: 13-4091601

Please detach bottom portion and return with payment.

Ana Ng
 RBS Citizens
 600 Washington Blvd.
 Stamford, CT 06901

Invoice No. : 110424
 Invoice Date : 7/23/2015
Total Due : \$702.80
 AFTER 8/22/2015 PAY \$737.94

Remit To: **David Feldman Worldwide, Inc.**
405 Park Avenue, 16th Floor
New York, NY 10022

Job No. : 40045
 BU ID : DFW CR
 Case No. :
 Case Name : The Federal Savings Bank v. ACE
 WatanaSuparp, Ronald Riemer

INVOICE

David Feldman Worldwide, Inc.
450 Seventh Avenue
Suite 500
New York, NY 10123
Phone: 212-705-8585 Fax: 646-304-1713

Invoice No.	Invoice Date	Job No.
110798	7/28/2015	40047
Job Date	Case No.	
7/16/2015		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Roneld Riemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford, CT 06901

ORIGINAL AND 1 COPY (IMMEDIATE) OF TRANSCRIPT OF:

Murdy Musarsky

Immediate Original

Exhibit Package

Shipping & Handling (0)

116.00 Pages 430.70

438.00

45.00 Pages 4.50

78.00

TOTAL DUE >>> \$951.20

AFTER 8/27/2015 PAY \$998.76

Ordered By : Matthew Batastini, Esq.
Proskauer Rose LLP
One Newark Center
Newark, NJ 07102-5211

THANK YOU FOR YOUR BUSINESS

Payment Not Contingent On Client Reimbursement

You can view your invoices and payment history at our website www.David-Feldman.com.
Call us for more information on this function.

IMPORTANT, NEW REMITTANCE ADDRESS.

Please note this address is to be used for all current and/or past invoices or statements you have received by mail and/or email.

Tax ID: 13-1091601

Please detach bottom portion and return with payment.

Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford, CT 06901

Invoice No. : 110798
Invoice Date : 7/28/2015
Total Due : \$951.20
AFTER 8/27/2015 PAY \$998.76

Remit To: David Feldman Worldwide, Inc.
405 Park Avenue, 16th Floor
New York, NY 10022

Job No. : 40047
BU ID : DFW CR
Case No. :
Case Name : The Federal Savings Bank v. ACE
WatanaSuparp, Ronald Riemer

435.20

INVOICE

David Feldman Worldwide, Inc.
 450 Seventh Avenue
 Suite 500
 New York, NY 10123
 Phone: 212-705-8585 Fax: 646-304-1713

Invoice No.	Invoice Date	Job No.
110516	7/28/2015	40105
Job Date	Case No.	
7/16/2015		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Rlemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

Neil Rosollinsky, Esq.
 RBS Citizens
 600 Washington Blvd.
 Stamford, CT 06901

COPY (IMMEDIATE) OF TRANSCRIPT OF:

Thomas Gamache

Immediate Copy

Exhibit Package

Litigation Support Package

Shipping & Handling (O)

148.00 Pages

584.60

703.00

16.00 Pages

50.00

85.00

78.00

TOTAL DUE >>>**\$1,500.60**

AFTER 8/27/2015 PAY

\$1,575.63

Ordered By : Matthew Batastini, Esq.
 Proskauer Rose LLP
 One International Place
 Boston, MA 02110-2600

THANK YOU FOR YOUR BUSINESS

Payment Not Contingent On Client Reimbursement

You can view your invoices and payment history at our website www.David-Feldman.com.
 Call us for more information on this function.

IMPORTANT, NEW REMITTANCE ADDRESS.

Tax ID: 13-4091601

Please detach bottom portion and return with payment.

Neil Rosollinsky, Esq.
 RBS Citizens
 600 Washington Blvd.
 Stamford, CT 06901

Invoice No. : 110516
 Invoice Date : 7/28/2015
Total Due : \$1,575.63

8634.60

Remit To: David Feldman Worldwide, Inc.
 405 Park Avenue, 16th Floor
 New York, NY 10022

Job No. : 40105
 BU ID : DFW CR
 Case No. :
 Case Name : The Federal Savings Bank v. ACE
 WatanaSuparp, Ronald Rlemer

INVOICE

David Feldman Worldwide, Inc.
450 Seventh Avenue
Suite 500
New York, NY 10123
Phone: 212-705-8585 Fax: 646-304-1713

Invoice No.	Invoice Date	Job No.
110984	8/12/2015	40106
Job Date	Cause No.	
7/17/2015		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Riemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd
Stamford, CT 06901

COPY OF TRANSCRIPT OF:				
Ace Watanasuparp	182.00 Pages		718.90	✓
Exhibit Package	115.00 Pages		86.25	✓
Litigation Support Package			42.50	✓
COPY OF TRANSCRIPT OF:				
Ronald Riemer	130.00 Pages		513.50	✓
Exhibit Package	41.00 Pages		50.00	✓
Litigation Support Package			85.00	✓
Shipping & Handling (O)			78.00	✓
TOTAL DUE >>>			\$1,574.15	
AFTER 9/11/2015 PAY			\$1,652.86	

Handwritten notes: OK to pay, 8805.15, 563.20

Location of Job: Proskauer Rose LLP
Eleven Times Square
New York, NY 10036-8299

Ordered By: Matthew Batastini, Esq.
Proskauer Rose LLP
One International Place
Boston, MA 02110-2600

Tax ID: 13-4091601

Please detach bottom portion and return with payment.

Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford, CT 06901

Invoice No. : 110984
Invoice Date : 8/12/2015
Total Due : \$1,574.15
AFTER 9/11/2015 PAY \$1,652.86

Remit To: David Feldman Worldwide, Inc.
405 Park Avenue, 16th Floor
New York, NY 10022

Job No. : 40106
BU ID : DFW CR
Cause No. :
Case Name : The Federal Savings Bank v. ACE
WatanaSuparp, Ronald Riemer

David Feldman Worldwide, Inc.
 450 Seventh Avenue
 Suite 500
 New York, NY 10123
 Phone: 212-705-8585 Fax: 646-304-1713

INVOICE

Invoice No.	Invoice Date	Job No.
110984	8/12/2015	40106
Job Date	Cause No.	
7/17/2015		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Riemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

Neil Rosolinsky, Esq.
 RBS Citizens
 600 Washington Blvd.
 Stamford, CT 06901

THANK YOU FOR YOUR BUSINESS

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Tax ID: 13-4091601

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Neil Rosolinsky, Esq.
 RBS Citizens
 600 Washington Blvd.
 Stamford, CT 06901

Invoice No. : 110984
 Invoice Date : 8/12/2015
Total Due : \$1,574.15
 AFTER 9/11/2015 PAY \$1,652.86

Remit To: **David Feldman Worldwide, Inc.**
405 Park Avenue, 16th Floor
New York, NY 10022

Job No. : 40106
 BU ID : DFW CR
 Cause No. :
 Case Name : The Federal Savings Bank v. ACE
 WatanaSuparp, Ronald Riemer

INVOICE

David Feldman Worldwide, Inc.
450 Seventh Avenue
Suite 500
New York, NY 10123
Phone: 212-705-8585 Fax: 646-304-1713

Invoice No.	Invoice Date	Job No.
111320	8/24/2015	40473
Job Date	Case No.	
8/14/2015		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Rlemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

John Barry, Esq.
Proskauer Rose LLP
One Newark Center
Newark, NJ 07102-5211

COPY OF TRANSCRIPT (EXPEDITED) OF:

Christian H. Nguyen

1,257.70

Exhibit Package

106.00 Pages

Litigation Support Package

Shipping & Handling (0)

TOTAL DUE >>>**\$1,257.70**

AFTER 9/23/2015 PAY

\$1,320.59

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OK to pay
[Signature]

Tax ID: 13-4091601

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John Barry, Esq.
Proskauer Rose LLP
One Newark Center
Newark, NJ 07102-5211

Invoice No. : 111320
Invoice Date : 8/24/2015
Total Due : \$1,257.70
AFTER 9/23/2015 PAY \$1,320.59

1257.70

Remit To: **David Feldman Worldwide, Inc.**
405 Park Avenue, 16th Floor
New York, NY 10022

Job No. : 40473
BU ID : DFW CR
Case No. :
Case Name : The Federal Savings Bank v. ACE
WatanaSuparp, Ronald Rlemer

INVOICE

David Feldman Worldwide, Inc.
450 Seventh Avenue
Suite 500
New York, NY 10123
Phone: 212-705-8585 Fax: 646-304-1713

Invoice No.	Invoice Date	Job No.
111348	8/31/2015	40466
Job Date	Case No.	
8/17/2015		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Riemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford, CT 06901

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Jason Bressler

402.20

Rough Draft/ASCII

Exhibit Package

Litigation Support Package

Shipping & Handling (O)

14.00 Pages

OK to pay
[Signature]

TOTAL DUE >>>**\$402.20**

AFTER 9/30/2015 PAY

\$422.31

Ordered By : Matthew Batastini, Esq.
Proskauer Rose LLP
One International Place
Boston, MA 02110-2600

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Tax ID: 13-4091601

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Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford, CT 06901

Invoice No. : 111348
Invoice Date : 8/31/2015
Total Due : \$402.20
AFTER 9/30/2015 PAY \$422.31

402.20

Remit To: **David Feldman Worldwide, Inc.**
405 Park Avenue, 16th Floor
New York, NY 10022

Job No. : 40466
BU ID : DFW CR
Case No. :
Case Name : The Federal Savings Bank v. ACE
WatanaSuparp, Ronald Rierner

INVOICE

David Feldman Worldwide, Inc.
450 Seventh Avenue
Suite 500
New York, NY 10123
Phone: 212-705-8585 Fax: 646-304-1713

Invoice No.	Invoice Date	Job No.
111395	9/7/2015	40526
Job Date	Case No.	
8/19/2015		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Riemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

John Barry, Esq.
Proskauer Rose LLP
One Newark Center
Newark, NJ 07102-5211

ORIGINAL AND 1 COPY (EXPEDITED) OF TRANSCRIPT OF:		
Howard Lorber	83.00 Pages	286.35
3 Day Original		103.75
Full Day Appearance		45.00
Rough Draft/ASCII		78.85
Exhibit Package	9.00 Pages	0.90
Shipping & Handling (Q)		78.00
ORIGINAL AND 1 COPY (EXPEDITED) OF TRANSCRIPT OF:		
Kenneth I. Haber, Esq.	108.00 Pages	372.60
3 Day Original		135.00
Rough Draft/ASCII		102.60
Exhibit Package	18.00 Pages	1.80
ORIGINAL AND 1 COPY OF TRANSCRIPT OF:		
Dottie Herman	97.00 Pages	334.65
3 Day Original		121.25
Rough Draft/ASCII		92.15
Exhibit Package	10.00 Pages	1.00
TOTAL DUE >>>		\$1,753.90
AFTER 10/7/2015 PAY		\$1,841.60

Tax ID: 13-4091601

Please detach bottom portion and return with payment.

John Barry, Esq.
Proskauer Rose LLP
One Newark Center
Newark, NJ 07102-5211

Invoice No. : 111395
Invoice Date : 9/7/2015
Total Due : \$1,867.91

Remit To: David Feldman Worldwide, Inc.
405 Park Avenue, 16th Floor
New York, NY 10022

Job No. : 40526
BU ID : DFW CR
Case No. :
Case Name : The Federal Savings Bank v. ACE
WatanaSuparp, Ronald Riemer

INVOICE

David Feldman Worldwide, Inc.
 450 Seventh Avenue
 Suite 500
 New York, NY 10123
 Phone: 212-705-8585 Fax: 646-304-1713

Invoice No.	Invoice Date	Job No.
111395	9/7/2015	40526
Job Date	Case No.	
8/19/2015		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Riemer		
Payment Terms		
Net 30, Interest at 1,5% / month		

John Barry, Esq.
 Proskauer Rose LLP
 One Newark Center
 Newark, NJ 07102-5211

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(-) Payments/Credits:	0.00
(+) Finance Charges/Debits:	114.01
(=) New Balance:	\$1,867.91

Tax ID: 13-4091601

Please detach bottom portion and return with payment.

John Barry, Esq.
 Proskauer Rose LLP
 One Newark Center
 Newark, NJ 07102-5211

Invoice No. : 111395
 Invoice Date : 9/7/2015
 Total Due : **\$1,867.91**

Remit To: David Feldman Worldwide, Inc.
 405 Park Avenue, 16th Floor
 New York, NY 10022

Job No. : 40526
 BU ID : DFW CR
 Case No. :
 Case Name : The Federal Savings Bank v. ACE
 WatanaSuparp, Ronald Riemer

INVOICE

David Feldman Worldwide, Inc.
450 Seventh Avenue
Suite 500
New York NY 10123
Phone:212-705-8585 Fax:646-304-1713

Invoice No.	Invoice Date	Job No.
119793	10/3/2016	46379
Job Date	Case No.	
9/19/2016		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Rlemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford CT 06901

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

CJ Taglivia
Exhibit Package

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

John Moscatti
Exhibit Package
Shipping (CD)

18136.017
O.K. to pay

14.00

34.00

TOTAL DUE >>>

AFTER 11/2/2016 PAY

438.00

352.40

\$790.40

\$829.92

Ordered By : John Barry, Esq.
Proskauer Rose LLP
One Newark Center
Newark, NJ 07102-5211

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IMPORTANT, NEW REMITTANCE ADDRESS.

80
AGREE WITH OBJECTIONS

Tax ID: 13-4091601

Please detach bottom portion and return with payment.

Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford CT 06901

Invoice No. : 119793
Invoice Date : 10/3/2016
Total Due : \$790.40
AFTER 11/2/2016 PAY \$829.92

Remit To: AP for the benefit of David Feldman
Worldwide, Inc.
PO Box 823473
Philadelphia PA 19182-3461

Job No. : 46379
BU ID : DFW CR
Case No. :
Case Name : The Federal Savings Bank v. ACE
WatanaSuparp, Ronald Riemer

INVOICE

David Feldman Worldwide, Inc.
 450 Seventh Avenue
 Suite 500
 New York NY 10123
 Phone: 212-705-8585 Fax: 646-304-1713

Invoice No.	Invoice Date	Job No.
119793	10/3/2016	46379
Job Date	Case No.	
9/19/2016		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Rlemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

Neil Rosolinsky, Esq.
 RBS Citizens
 600 Washington Blvd.
 Stamford CT 06901

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This account receivable has been assigned to and is owned by subject to security interest of Paychex Advance LLC and I

Tax ID: 13-4091601

Please detach bottom portion and return with payment.

Neil Rosolinsky, Esq.
 RBS Citizens
 600 Washington Blvd.
 Stamford CT 06901

Invoice No. : 119793
 Invoice Date : 10/3/2016
Total Due : \$790.40
 AFTER 11/2/2016 PAY \$829.92

Remit To: **AP for the benefit of David Feldman
 Worldwide, Inc.
 PO Box 823473
 Philadelphia PA 19182-3461**

Job No. : 46379
 BU ID : DFW CR
 Case No. :
 Case Name : The Federal Savings Bank v. ACE
 WatanaSuparp, Ronald Riemer

INVOICE

David Feldman Worldwide, Inc.
450 Seventh Avenue
Suite 500
New York NY 10123
Phone:212-705-8585 Fax:646-304-1713

Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford CT 06901

OK to pay

[Handwritten signature]

Invoice No.	Invoice Date	Job No.
120356	10/19/2016	46381
Job Date	Case No.	
9/23/2016		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Riemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Stephen Calk

Exhibit Package

Shipping (CD)

203.00 Pages 598.85
45.00 4.50
56.00

TOTAL DUE >>> \$659.35

AFTER 11/18/2016 PAY \$692.32

Ordered By : John Barry, Esq.
Proskauer Rose LLP
One Newark Center
Newark, NJ 07102-5211

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Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford CT 06901

Invoice No. : 120356
Invoice Date : 10/19/2016
Total Due : \$659.35
AFTER 11/18/2016 PAY \$692.32

Remit To: AP for the benefit of David Feldman
Worldwide, Inc.
PO Box 823473
Philadelphia PA 19182-3461

Job No. : 46381
BU ID : DFW CR
Case No. :
Case Name : The Federal Savings Bank v. ACE
WatanaSuparp, Ronald Riemer

8603.35

INVOICE

David Feldman Worldwide, Inc.
450 Seventh Avenue
Suite 500
New York NY 10123
Phone:212-705-8585 Fax:646-304-1713

Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford CT 06901

Invoice No.	Invoice Date	Job No.
120123	10/14/2016	46599
Job Date	Case No.	
9/26/2016		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Riemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Mordechai Husarsky

Exhibit Package

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Andrew Chojnowski

Exhibit Package

Shipping (CD)

33.00

422.20

20.00

273.35

TOTAL DUE >>>**\$695.55**

AFTER 11/13/2016 PAY

\$730.33

Ordered By : John Barry, Esq.
Proskauer Rose LLP
One Newark Center
Newark, NJ 07102-5211

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Tax ID: 13-4091601

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Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford CT 06901

Invoice No. : 120123
Invoice Date : 10/14/2016
Total Due : \$695.55
AFTER 11/13/2016 PAY \$730.33

Remit To: AP for the benefit of David Feldman
Worldwide, Inc.
PO Box 823473
Philadelphia PA 19182-3461

Job No. : 46599
BU ID : DFW CR
Case No. :
Case Name : The Federal Savings Bank v. ACE
WatanaSuparp, Ronald Riemer

INVOICE

David Feldman Worldwide, Inc.
 450 Seventh Avenue
 Suite 500
 New York NY 10123
 Phone:212-705-8585 Fax:646-304-1713

Invoice No.	Invoice Date	Job No.
120123	10/14/2016	46599
Job Date	Case No.	
9/26/2016		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Rlemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

Neil Rosolinsky, Esq.
 RBS Citizens
 600 Washington Blvd.
 Stamford CT 06901

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Tax ID: 13-4091601

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Neil Rosolinsky, Esq.
 RBS Citizens
 600 Washington Blvd.
 Stamford CT 06901

Invoice No. : 120123
 Invoice Date : 10/14/2016
Total Due : \$695.55
 AFTER 11/13/2016 PAY \$730.33

Remit To: **AP for the benefit of David Feldman**
Worldwide, Inc.
PO Box 823473
Philadelphia PA 19182-3461

Job No. : 46599
 BU ID : DFW CR
 Case No. :
 Case Name : The Federal Savings Bank v. ACE
 WatanaSuparp, Ronald Riemer

Reporters Central, LLC
363 Seventh Avenue, 21st Floor
New York, NY 10001 (212) 594-3582

LEVDAV: RC

O.K. to pay

JOHN BARRY, ESQ.
Proskauer Rose LLP
Eleven Times Square
New York, NY 10036



Invoice #: 32127 Invoice Date: 10/14/2016 Job#: 2016-03050 Job Date: 10/5/2016

The Federal Savings Bank v.
ACE Watanasuparp, et al.

Description	Units	Cost	Total
One Copy - THOMAS GAMACHE	208	\$2.50	\$520.00
United Parcel Service	1	\$20.00	\$20.00
Final ASCII+PDF+Condensed Transcript+iDepo	1	\$0.00	\$0.00

AMOUNT DUE: \$540.00

520.00

Thank you for giving us the opportunity to serve you.

BALANCE DUE 30 DAYS AFTER INVOICE DATE. DUE DATE: 11/13/2016

TO ENSURE PROPER CREDIT TO YOUR ACCOUNT RETURN YELLOW INVOICE WITH CHECK
FEDERAL TAX I.D. NO. 13-4066056

INVOICE

David Feldman Worldwide, Inc.
450 Seventh Avenue
Suite 500
New York NY 10123
Phone: 212-705-8585 Fax: 646-304-1713

Invoice No.	Invoice Date	Job No.
121123	11/11/2016	46925
Job Date	Case No.	
10/10/2016		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Riemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford CT 06901

18136.017
OK. to Pay

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Michael Belmont

Half Day Appearance

Exhibit Package

Shipping & Handling (CD)

142.00 Pages 560.90

45.00

41.00 22.55

56.00

TOTAL DUE >>> \$684.45

AFTER 12/11/2016 PAY \$718.67

Ordered By : John Barry, Esq.
Proskauer Rose LLP
1 NEWARK CTR
NEWARK, NJ 07102-5235

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Please note this address is to be used for all current and/or past invoices or statements you have received by mail and/or email.

\$583.45

Tax ID: 13-4091601

Please detach bottom portion and return with payment.

Neil Rosolinsky, Esq.
RBS Citizens
600 Washington Blvd.
Stamford CT 06901

Invoice No. : 121123
Invoice Date : 11/11/2016
Total Due : \$684.45
AFTER 12/11/2016 PAY \$718.67

Remit To: AP for the benefit of David Feldman
Worldwide, Inc.
PO Box 823473
Philadelphia PA 19182-3461

Job No. : 46925
BU ID : DFW CR
Case No. :
Case Name : The Federal Savings Bank v. ACE
WatanaSuparp, Ronald Riemer

INVOICE

David Feldman Worldwide, Inc.
 450 Seventh Avenue
 Suite 500
 New York NY 10123
 Phone:212-705-8585 Fax:646-304-1713

Invoice No.	Invoice Date	Job No.
121123	11/11/2016	46925
Job Date	Case No.	
10/10/2016		
Case Name		
The Federal Savings Bank v. ACE WatanaSuparp, Ronald Rlemer		
Payment Terms		
Net 30, Interest at 1.5% / month		

Neil Rosolinsky, Esq.
 RBS Citizens
 600 Washington Blvd.
 Stamford CT 06901

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Tax ID: 13-4091601

Please detach bottom portion and return with payment.

Neil Rosolinsky, Esq.
 RBS Citizens
 600 Washington Blvd.
 Stamford CT 06901

Invoice No. : 121123
 Invoice Date : 11/11/2016
Total Due : \$684.45
 AFTER 12/11/2016 PAY \$718.67

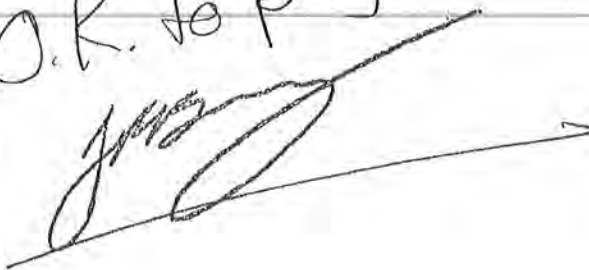
Remit To: **AP for the benefit of David Feldman
 Worldwide, Inc.
 PO Box 823473
 Philadelphia PA 19182-3461**

Job No. : 46925
 BU ID : DFW CR
 Case No. :
 Case Name : The Federal Savings Bank v. ACE
 WatanaSuparp, Ronald Rlemer

Reporters Central, LLC
363 Seventh Avenue, 21st Floor
New York, NY 10001 (212) 594-3582

LEVDAV: RC

ALYCHIA BUCHAN, ESQ.
Proskauer Rose LLP
Eleven Times Square
New York, NY 10036

18/36.017
O.K. to pay


Invoice #: 32163 Invoice Date: 10/21/2016 Job#: 2016-03170 Job Date: 10/10/2016

The Federal Savings Bank v.
Ace Watanasuparp, et al.

Description	Units	Cost	Total
One Copy - ACE WATANASUPARP	208	\$2.50	\$520.00
United Parcel Service	1	\$20.00	\$20.00
Final ASCII+PDF+Condensed Transcript+iDepo	1	\$0.00	\$0.00

AMOUNT DUE: \$540.00

Thank you for giving us the opportunity to serve you.



BALANCE DUE 30 DAYS AFTER INVOICE DATE. DUE DATE: 11/20/2016

TO ENSURE PROPER CREDIT TO YOUR ACCOUNT RETURN YELLOW INVOICE WITH CHECK
FEDERAL TAX I.D. NO. 13-4066056

INVOICE

Gore Brothers Reporting & Video
 20 S. Charles Street, Suite 901
 Baltimore MD 21201
 Phone: 410.837.3027 Fax: 410.685.6361

OK to pay

John P. Barry, Esquire
 Proskauer Rose, LLP
 Eleven Times Square
 Eighth Avenue & 41st Street
 New York NY 10036

Invoice No.	Invoice Date	Job No.
109471	12/19/2016	92533
Job Date	Case No.	
12/6/2016	1:2015cv03548	
Case Name		
The Federal Savings Bank vs. ACE Watanasuparp, et al.		
Payment Terms		
Due upon receipt		

For the Copy/Index of Transcript of:

Glenn Carter

Exhibits: Scan/Copy - Black & White and/or Color

Compressed Transcript, Linked Exhibit PDF's and Repository

Transcript: Email only - hard copy not requested

Signed Order Form

99.00 Pages	252.45
39.00 Pages	17.55
	21.00
	0.00
	0.00

TOTAL DUE >>> \$291.00

AFTER 1/18/2017 PAY \$320.10

In legal matters we look to the attorney for payment of any balance due and owing on our invoice, not their client, even if their client makes full or partial payment of an invoice!

8270.00

Tax ID: 52-0845831

Exhibit D

D4, LLC222 Andrews Street
Rochester, NY 14604

Voice: 585-385-4040

INVOICE

Invoice Number: 158283

Invoice Date: Jun 30, 2015

Page: 1

Bill To:RBS Securities, Inc.
600 Washington Boulevard
Stamford, CT 06901**Ship to:**Nicole Hinds
600 Washington Boulevard
Stamford, CT 06901

Sales Rep ID	Client Matter	D4 Project Number	Due Date
600100	TFSB v. Citizens et	60-0615-564	7/30/15

Quantity	Description	Unit Price	Amount
	June 2015 Billing Period		
	TFSB v. Citizens et al.		
58.37	Hosting - Monthly Online/Hosted Data Storage Per GB 50-250GB	20.00	1,167.40
49.35	Data Reduction Per GB (0-100GB)	20.00	987.00
53.22	ESI Processing for Native Review Per GB	195.00	10,377.90
11.50	Litigation Support Hourly	125.00	1,437.50
1.75	Hosting- 3rd Party Data Loading Per Hour	125.00	218.75
5.48	Production - Processing for Image and/or Native Productions Per GB	250.00	1,370.00
			11,747.90

Remit To: D4, LLC
 222 Andrews Street
 Rochester, New York 14604
Federal ID: 16-1532901

Invoice Subtotal	15,558.55
Sales Tax	
Credits Applied	
Net Invoice Due	15,558.55

powered by people



D4, LLC222 Andrews Street
Rochester, NY 14604

Voice: 585-385-4040

INVOICE

Invoice Number: 159640

Invoice Date: Jul 31, 2015

Page: 1

Bill To:RBS Securities, Inc.
600 Washington Boulevard
Stamford, CT 06901**Ship to:**Nicole Hinds
600 Washington Boulevard
Stamford, CT 06901

Sales Rep ID	Client Matter	D4 Project Number	Due Date
600100	TFSB v Citizen 28926	40-0615-564	8/30/15

Quantity	Description	Unit Price	Amount
	July 2015		
113.85	Data Reduction per GB (100-250 GB)	20.00	2,277.00
106.41	ESI Processing for Native Review Per GB	195.00	20,749.95
0.50	Hosting- 3rd Party Data Loading Per Hour	125.00	62.50
5.51	Production - Processing for Image and/or Native Productions Per GB	250.00	1,377.50
2.75	Production - Database Administration and Production Export Per Hour	175.00	481.25
			22,107.45

Remit To: D4, LLC
 222 Andrews Street
 Rochester, New York 14604
Federal ID: 16-1532901

Invoice Subtotal	24,948.20
Sales Tax	
Credits Applied	
Net Invoice Due	24,948.20

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D4, LLC

222 Andrews Street
Rochester, NY 14604

Voice: 585-385-4040

INVOICE

Invoice Number: 160730

Invoice Date: Aug 31, 2015

Page: 1

Bill To:

RBS Securities, Inc.
600 Washington Boulevard
Stamford, CT 06901

Ship to:

Nicole Hinds
600 Washington Boulevard
Stamford, CT 06901

Sales Rep ID	Client Matter	D4 Project Number	Due Date
600100	TFSB v. Citizens et	40-0615-564	9/30/15

Quantity	Description	Unit Price	Amount
	August 2015 Billing Period		
	TFSB v. Citizens et al.		
233.48	Hosting - Monthly Online/Hosted Data Storage Per GB 50-250GB	20.00	4,669.60
7.25	Litigation Support Hourly	125.00	906.25
0.01	Data Reduction Per GB (0-100GB)	20.00	0.20
0.24	ESI Processing for Native Review Per GB	195.00	46.80
1.35	ESI Technical Analysis or Custom Processing Per Hour	175.00	236.25
1.00	Hosting- 3rd Party Data Loading Per Hour	125.00	125.00
0.01	Production - Processing for Image and/or Native Productions Per GB	250.00	2.50
			49.30

Remit To: D4, LLC 222 Andrews Street Rochester, New York 14604 Federal ID: 16-1532901	Invoice Subtotal	5,986.60
	Sales Tax	
	Credits Applied	
	Net Invoice Due	5,986.60

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D4, LLC222 Andrews Street
Rochester, NY 14604

Voice: 585-385-4040

INVOICE

Invoice Number: 169206

Invoice Date: Feb 29, 2016

Page: 1

Bill To:RBS Securities, Inc.
600 Washington Boulevard
Stamford, CT 06901**Ship to:**Nicole Hinds
600 Washington Boulevard
Stamford, CT 06901

Sales Rep ID	Client Matter	D4 Project Number	Due Date
600125	TFSB v. Citizens et	60-0615-564	3/30/16

Quantity	Description	Unit Price	Amount
	February 2016 Billing Period		
	TFSB v. Citizens et al.		
257.19	Hosting - Monthly Online/Hosted Data Storage Per GB 50-250GB	20.000	5,143.80
22.50	Litigation Support Hourly	175.000	3,937.50
177.00	Data Reduction per GB	20.000	3,540.00
9.46	ESI Processing for Native Review Per GB	195.000	1,844.70
			1,844.70

Remit To: D4, LLC
 222 Andrews Street
 Rochester, New York 14604
Federal ID: 16-1532901

Invoice Subtotal	14,466.00
Sales Tax	
Credits Applied	
Net Invoice Due	14,466.00

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D4, LLC222 Andrews Street
Rochester, NY 14604

Voice: 585-385-4040

INVOICE

Invoice Number: 170763

Invoice Date: Mar 31, 2016

Page: 1

Bill To:RBS Securities, Inc.
600 Washington Boulevard
Stamford, CT 06901**Ship to:**Nicole Hinds
600 Washington Boulevard
Stamford, CT 06901

Sales Rep ID	Client Matter	D4 Project Number	Due Date
600125	TFBS v. Citizens et	60-0615-564	4/30/16

Quantity	Description	Unit Price	Amount
	March 2016 Billing Period		
	TFBS v. Citizens et al.		
456.63	Hosting - Monthly Online/Hosted Data Storage Per GB 50-250GB	20.000	9,132.60
1.75	Litigation Support Hourly	175.000	306.25
2.25	ESI Technical Analysis or Custom Processing Per Hour	175.000	393.75
0.01	Production - Processing for Image and/or Native Productions Per GB	250.000	2.50
0.75	Hosting- 3rd Party Data Loading Per Hour	125.000	93.75
2.00	Offline Storage of Computer Media - per piece of media	5.000	10.00
			2.50

Remit To: D4, LLC
 222 Andrews Street
 Rochester, New York 14604
Federal ID: 16-1532901

Invoice Subtotal	9,938.85
Sales Tax	
Credits Applied	
Net Invoice Due	9,938.85

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D4, LLC222 Andrews Street
Rochester, NY 14604

Voice: 585-385-4040

INVOICE

Invoice Number: 172050

Invoice Date: Apr 30, 2016

Page: 1

Bill To:RBS Securities, Inc.
600 Washington Boulevard
Stamford, CT 06901**Ship to:**Nicole Hinds
600 Washington Boulevard
Stamford, CT 06901

Sales Rep ID	Client Matter	D4 Project Number	Due Date
600125	TFSB v. Citizens et	60-0615-564	5/30/16

Quantity	Description	Unit Price	Amount
	April 2016 Billing Period		
	TFSB v. Citizens et al.		
459.60	Hosting - Monthly Online/Hosting Data Storage per GB 250-500GB	20.000	9,192.00
4.75	Litigation Support Hourly	175.000	831.25
0.01	Data Reduction Per GB (0-100GB)	20.000	0.20
0.01	ESI Processing for Native Review Per GB	195.000	1.95
1.70	ESI Technical Analysis or Custom Processing Per Hour	175.000	297.50
0.01	Production - Processing for Image and/or Native Productions Per GB	250.000	2.50
2.00	Offline Storage of Computer Media - per piece of media	5.000	10.00
			4.45

Remit To: D4, LLC
 222 Andrews Street
 Rochester, New York 14604
Federal ID: 16-1532901

Invoice Subtotal	10,335.40
Sales Tax	
Credits Applied	
Net Invoice Due	10,335.40

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PROSKAUER ROSE LLP
 John P. Barry, Esq.
 11 Times Square
 New York, NY 10036
Attorneys for Defendant
Citizens Financial Group

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

----- X
 THE FEDERAL SAVINGS BANK, :
 :
 Plaintiff, :
 :
 v. :
 :
 ACE WATANASUPARP, RONALD :
 RIEMER, AND CITIZENS FINANCIAL :
 GROUP, :
 :
 Defendants. :
 ----- X

Case No.: 15-CV-3548

**NOTICE OF
 TAXATION OF COSTS**

TO: Ari Karen
 Eric Pelletier
 Offit Kurman
 300 East Lombard
 Baltimore, MD 21202
Attorneys for Plaintiff

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 54(d)(1) and Southern District Local Civil Rule 54.1, Defendant Citizens Financial Group ("Citizens") as the prevailing party, hereby submits its Bill of Costs to be presented to the Clerk of the Court for taxation in the Orders and Judgments Unit, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007, on Wednesday, April 17, 2019 at 10:00 AM.

Dated: April 2, 2019
New York, New York

Respectfully submitted,

PROSKAUER ROSE LLP

By: /s/ John P. Barry

John P. Barry
11 Times Square
New York, NY 10036
Tel: (212) 969-3000
Fax: (212) 969-2900
jbarry@proskauer.com
Attorneys for Defendant
Citizens Financial Group

CERTIFICATE OF SERVICE

I certify that on this date a copy of the forgoing Notice of Taxation of Costs, with the accompanying Bill of Costs, was served on April 2, 2019 to all counsel of record via the Court's Electronic Filing System.

Dated: April 2, 2019
New York, New York

/s/ John P. Barry

John P. Barry
PROSKAUER ROSE LLP
11 Times Square
New York, NY 10036
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Fax: (212) 969-2900
jbarry@proskauer.com
Attorneys for Defendant
Citizens Financial Group

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

THE FEDERAL SAVINGS BANK,	:	
	:	
<i>Plaintiff,</i>	:	Civil Case No. 15-CV-3548
	:	
v,	:	
	:	
ACE WATANASUPARP, RONALD	:	
RIEMER, AND CITIZENS FINANCIAL	:	
GROUP,	:	
	:	
<i>Defendants.</i>	:	

**PLAINTIFF’S OBJECTION TO NOTICE
OF TAXATION OF COSTS AND TO BILL OF COSTS**

Plaintiff, the Federal Savings Bank (“TFSB”), by and through its undersigned counsel, files this Objection to Notice of Taxation and to Bill of Costs, and in support hereof, states:

I. THE NOTICE OF TAXATION OF COSTS IS PREMATURE

This case was tried to a jury, which returned a verdict for Plaintiff on May 11, 2018. Thereafter, Defendants filed a “Motion for Judgment or, in the Alternative, for a New Trial or Remittitur of the Damages Award,” (the “Motion for Judgment as a Matter of Law”) which the Court granted in part, and denied in part on February 26, 2019. The February 26, 2019, Order stated:

ORDER GRANTING A NEW TRIAL ON DAMAGES FOR DEFENDANT WATANASUPARP AND JUDGMENT AS A MATTER OF LAW FOR DEFENDANT CITIZENS granting 180 Motion for Judgment as a Matter of Law. Accordingly, for the reasons discussed in this opinion: (1) I deny Defendant Watanasuparp’s motion for a new trial on issues of liability. (2) I grant Defendant Watanasuparp’s motion for a new trial on the issue of damages for the breach of fiduciary duty, except as to the forfeiture of \$30,000 of his salary, and deny his motion for judgment as a matter of law. (3) I grant Defendant Citizens’ motion for judgment as a matter of law, and order the case dismissed against it, with the Clerk to tax costs. (4) The Clerk shall issue an amended judgment against Defendant Watanasuparp in the amount of \$30,000, with interest to be calculated by the Clerk from March 20, 2015, and with costs to be deferred until the issues between plaintiff

and Watanasuparp are determined. The Clerk shall terminate the motion (Dkt. No. 180). The parties shall appear for a status conference to regulate future proceedings on March 15, 2019 at 10:00 a.m. SO ORDERED. (Signed by Judge Alvin K. Hellerstein on 2/25/2019) (ne) Transmission to Orders and Judgments Clerk for processing. (Entered: 02/26/2019).

Docket Entry 194. The clerk amended the judgment on February 28, 2019. However, the change to the portion of the Order granting Citizen's Motion for Judgment as a Matter of Law was semantical only.

Federal Rule of Civil Procedure 54 (b) states in relevant part:

[A]ny order or other decision, however designated, that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties does not end the action as to any of the claims or parties and may be revised at any time before the entry of a judgment adjudicating all the claims and all the parties' rights and liabilities.

Fed. R. Civ. P. 54 (b). Thus, notwithstanding the February 26 and February 28, 2019 Orders, the case remains unresolved as to Defendant Watanasuparp, and there is no final judgment.

Local Civil Rule 54.1 governs taxable costs. Rule 54.1(a) states in part:

(a) Notice of Taxation of Costs. Within thirty (30) days after the entry of final judgment, or, in the case of an appeal by any party... any party seeking to recover costs shall file with the Clerk a notice of taxation of costs by Electronic Case Filing.... Costs will not be taxed during the pendency of any appeal, motion for reconsideration, or motion for a new trial. Within thirty (30) days after the determination of any appeal, motion for reconsideration, or motion for a new trial, the party seeking tax costs shall file a new notice of taxation of costs.

Thus, the Local Rule permits a party to file a Notice of Taxation of Costs *only after entry of a final judgment*. However, because the case has not been resolved as to all claims and all parties, there is no final judgment in this case. Fed. R. Civ. P. 54 (b). Therefore, pursuant to Local Civil Rule 54.1, Defendant's Notice of Taxation of Costs is premature.

II. IF THE NOTICE TO TAX COSTS IS NOT PREMATURE, THEN IT WAS UNTIMELY

Assuming *arguendo*, that finality of judgment is not a prerequisite for filing a Notice to Tax Costs, and assuming that the Defendant's notice is not premature, then Citizens filed its Notice late. Pursuant to Local Rule 54.1, the notice must be filed "[w]ithin thirty (30) days after the determination of any appeal, motion for reconsideration, or motion for a new trial...." The Court entered its Order granting the Motion in part and denying the motion in part on February 26, 2019. The thirtieth day after February 26, 2019 was Thursday, March 28, 2019. Defendant did not file its Notice of Taxation of Costs until Monday, April 1, 2019, and then had to refile it on Tuesday April 2, 2019. However, Local Civil Rule 54.1 states, "[a]ny party failing to file a notice of taxation of costs within the applicable thirty (30) day period will be deemed to have waived costs." Because Citizens did not file its notice of taxation of costs within 30 days, it is deemed to have waived costs. L. Civ. R. 54.1(a).

III. SEVERAL ITEMS OF THE REQUESTED COSTS WERE EITHER EXCESSIVE, WERE NOT NECESSARY, OR ARE NOT ALLOWED BY LAW OR LOCAL RULE

A. CERTAIN TRANSCRIPT COSTS ARE DUPLICATIVE OR WERE UNNECESSARY

When seeking costs to be taxed, "The burden is on the prevailing party to establish to the court's satisfaction that the taxation of costs is justified." *John G. v. Board of Education of Mt. Vernon Public Schools*, 891 F. Supp. 122, 123 (S.D.N.Y. 1995); *see also* *AIG Global Sec. Lending Corp. v. Banc of America Sec. LLC*, No. 01 Civ. 11448, 2011 U.S. Dist. LEXIS 1567, 2011 WL 102715, at *2 (S.D.N.Y. Jan. 06, 2011).

**1. CITIZENS IS NOT ENTITLED TO COSTS FOR DUPLICATE
“DISKETTE” COPIES OF THE TRIAL TRANSCRIPT**

Local Civil Rule 54.1 (c)(1) states that “the cost of any part of the original trial transcript that was necessarily obtained for use in this Court or on appeal is taxable.” L. Civ. R 54.1(c)(1). Citizens seeks \$5,424.21 for trial transcripts. *See* Barry Affidavit, ¶7. However, this amount includes \$1,234.80 in costs for “diskette” copies of the transcript in addition to the cost of the original. To assess a party with the premium cost of daily transcripts, “necessity beyond the mere convenience of counsel – must be shown.” *Galella v. Onassis*, 487 F.2d 986, 999 (2d Cir. 1973) (“There does not, however, appear any justification for allowing multiple copies to the defendant.”). The Court should not allow Citizens costs of \$1,234.80 for diskette copies, particularly where the rule only permits for recovery of the cost of the original.

**2. THE COURT SHOULD NOT AWARD ALL REQUESTED COSTS
FOR DEPOSITION TRANSCRIPTS**

Local Civil Rule 54.1 (c)(2) provides:

[T]he original transcript of a deposition, plus one copy, is taxable if the deposition was used or received in evidence at the trial, whether or not it was read in its entirety. Costs for depositions are also taxable if they were used by the Court in ruling on a motion for summary judgment or other dispositive substantive motion. Costs for depositions taken solely for discovery are not taxable.

LR 54.1(c)(2).

The Barry Affidavit contains a table which categorizes how the nineteen depositions that it identifies were used, and seeks costs *for all nineteen depositions*, for a total of \$12,453.32. Only one of the depositions – that of Glenn Carter (\$291.00), was submitted (it was read) into evidence; this transcript was also cited in summary judgment materials. There is no objection as to the award of costs for Mr. Carter’s deposition, except that Plaintiff objects to \$21.00 of the bill related to a “repository fee.”

Three Depositions were not Used for Summary Judgment or Trial

The Barry Affidavit indicates that three of the transcripts (Taglivia, Moscati, and Chojnowski, total amount \$1,063.75) were neither cited in summary judgment materials, nor involved witnesses who testified at trial. Plaintiff should not be taxed \$1,063.75 for these transcripts. In fact, five of the nineteen transcripts (Taglivia, Moscati, and Chojnowsk, plus Ngyuen, and Bressler for a total amount \$2,025.95) were for witnesses who did not testify at trial. None of the costs for these five transcripts should be taxed.

Nearly all of the Bills for Deposition Have Added on Costs

Another flaw in the Barry Affidavit's request to tax deposition costs is that it seeks far more than just the costs of a deposition transcript plus exhibit copies. As the individual bills attached as "Exhibit C" to the Barry Affidavit indicate, Citizens also seeks reimbursement for various addition items on the bill, including additional charges for: (a) "Rough Draft/ASCII; (b) "Shipping and handling"; (c) immediate original; (d) three-day original; (e) "full day appearance" fees; (f) repository fees; and, in at least one instance (the first Calk deposition) (g) additional late payment charges for paying beyond the reporters net 30 terms. "Even where the cost of a deposition transcript will be taxable under these standards, certain associated fees that are not necessary generally may not be taxed" *Carvalho v. City of New York*, No. 13-CV-4174, 2018 WL 5312886, at *5 (S.D.N.Y. Oct. 26, 2018 Copies (\$35,776.30): Immediately below is a table removing costs associated with these "add-on" items from the total sought, and which instead shows the total cost of only one of each transcript and a copy of each transcript's exhibits.

Deponent (*indicates used for summary judgment)	Invoice Number	Amount Sought	Actual Cost of Depo. and Copy of Exhibits	Difference
Stephen Calk* (7/15/2015)	110424	\$737.94	\$439.80	\$298.14
Mordy Husarsky*	110798	\$951.20	\$435.20	\$516.00
Tom Gamache*	110516	\$1,575.63	\$634.60	\$941.03
Ace Watanasuparp (7/17/2015)*	110984	\$847.50	\$805.15	\$42.35
Ron Riemer	110984	\$726.50	\$563.50	\$163.00
Christian Nguyen ¹	111320	\$1,257.70	\$1,257.70	\$0
Jason Bressler	111348	\$402.20	\$402.20	\$0
Dottie Herman*	111395	\$549.05	\$335.65	\$213.40
Kenneth Haber*	111395	\$612.00	\$374.40	\$237.60
Howard Lorber*	111395	\$592.85	\$287.25	\$305.60
CJ Taglivia	119793	\$438.00	\$438.00	\$0
John Moscati	119793	\$352.40	\$352.40	\$0
Stephen Calk (9/23/2016)*	120356	\$659.35	\$603.35	\$56.00
Mordy Husarsky*	120123	\$422.20	\$422.20	\$0
Andrew Chojnowski	120123	\$273.35	\$273.35	\$0
Tom Gamache*	32127	\$540.00	\$520.00	\$20.00
Michael Belmont*	121123	\$684.45	\$583.45	\$101.00
Ace Watanasuparp (10/10/2016)*	32163	\$540.00	\$520.00	\$20.00
Glenn Carter*	109471	\$291.00	\$270.00	<u>\$21.00</u>
			Total Difference:	\$2,935.12

¹ The bills for the Nguyen, Bressler, Moscati and Chojnowski deposition invoices include an undifferentiated/non-itemized component for "litigation support package."

Plaintiff should not be required to pay these extra costs (which total \$2,935.12), and should only be taxed the costs of depositions transcripts and their exhibits, which after subtracting excess costs, total \$9,518.20.

B. THE COURT SHOULD PRECLUDE CITIZENS' REQUEST FOR COPY COSTS

28 U.S.C. § 1920 (4) allows a party to recover “[f]ees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case....” Following the initial filing of the Barry Affidavit (which initially sought \$44,235.70 for copy costs), the Clerk’s office instructed Citizens to refile the Affidavit with an explanation as to why over \$44,000 in costs were necessary. The refiled (April 2, 2019) Barry Affidavit, which reduced this aspect of costs to \$35,776.30, still does not explain why the expenses were necessary.

Apparently, amounts sought relate to the “ESI Processing for Native Review”, and “Production Processing for Image and/or Native Production per GB” statements on the Invoices attached to the Barry Affidavit as Exhibit D. The ESI Processing for Native Review component of each invoice is the majority of costs sought, in part because over 15 times more data was “Process[ed] for Native Review” than was eventually “Process[ed] for Production.” However, nowhere in the Affidavit or invoices is there any indication as to what the fairly vague reference “ESI Processing” means. It is not a term defined by the Sedona Conference Glossary. Other members of this Court have disallowed costs attributable to “Processing Initial Dataset” and “Data Collection.” *Balance Point Divorce Funding, LLC v. Scrantom*, 305 F.R.D. 67, 75-76 (S.D.N.Y. 2015). Plaintiff should not be responsible for the \$33,021.30 in costs sought which related to “ESI Processing for Native Image Productions Per GB.”

Furthermore, even if the Court were to award something to Citizens for its ESI processing cost and its “production processing” costs there is no indication in any of the materials as to what

portion of the materials that went through ESI Processing” and “Production Processing” were produced. Absent information indicating what portion was produced, the Court should not make any award for ESI Processing or Production Processing, because a party can only recover costs for the copies that are actually produced. *Balance Point Divorce Funding, LLC*, 305 F.R.D. at 74 (holding that only the costs for documents actually produced by opponent are recoverable).

III. CONCLUSION

For the foregoing reasons, Plaintiff the Federal Savings Bank objects to Citizen’s Bank’s Notice of Taxation of Costs.

Respectfully submitted,

OFFIT KURMAN, P.A.

Dated: April 15, 2019

/s/ Ari Karen

Ari Karen (admitted pro hac vice)
Eric Pelletier (admitted pro hac vice)
4800 Montgomery Lane, 9th Floor
Bethesda, MD 20814
(t) 240.507.1700
(f) 240.507.1735
(e) akaren@offitkurman.com
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2019, on behalf of Plaintiff, the Federal Savings Bank, I caused the forgoing *Objection to Notice of Taxation of Costs* to be filed in the above-captioned action with the Clerk of the United States District Court, Southern District of New York, using the CM/ECF system, which sent notification to all counsel of record.

Dated: April 15, 2019

/s/ Eric Pelletier

Eric Pelletier